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April 16, 2018

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

**David Lanier, Secretary  
California Labor and Workforce  
Development Agency  
Attn. PAGA Administrator  
1515 Clay Street, Ste. 801  
Oakland, CA 94612**

**Golden State FC, LLC dba  
Amazon.com  
410 Terry Avenue North  
Seattle Washington 98109**

NOTICE OF LABOR CODE VIOLATIONS PURSUANT TO LABOR CODE  
SECTION 2699.3

To: The California Labor and Workforce Development Agency and Golden State FC, LLC, dba Amazon.com (“Amazon”).

From: Audrey Howard, on behalf of himself and on behalf of all current and/or former California employee non-exempt employees for violations of the California Labor Code.

To Whom It May Concern:

We have been retained by the above referenced employee to seek compensation and all other available relief on his behalf, and all those similarly situated, who have been injured by violations of the above referenced Labor Code sections.

**Factual Statement:**

Audrey Howard (“Claimant”), on behalf of herself and similar current and former California non-exempt employees of Golden State FC, LLC, dba Amazon.com (“Amazon”) were employees working within the State of California, primarily as warehouse associates. As part of their employment, these non-exempt employees were assigned to and required to suffer and permitted to work without pay, while performing tasks including, but not limited to: receiving inbound products using frequency scanners, pull and pack products, unload shipments from trucks, as well as operate cars, dollies, hand-trucks, and other moving equipment.

During the entire course of her employment, Amazon failed to provide Claimant and those similarly situated with meal breaks and rest breaks. As a consequence,

Amazon has failed to comply with Labor Code Section 226.7, Labor Code Sections 510 and 512, and Industrial Welfare Commission Wage Orders 9-2001(11), and, also failed to provide accurate, timely and itemized pay stub accounting records to Claimant in violation of Labor Code Section 226(a). With regard to those no longer employed, Amazon violated Labor Code Section 203 by failing to pay all wages due upon separation. Claimant is informed and believes that such violations are ongoing, systematic and continuous. She intends to bring an action against Amazon under the Private Attorney General Act (“PAGA”) to recover wages and penalties as provides by California law<sup>1</sup>.

### **Theories of Labor Code Violations and Remedies:**

Claimant Audrey Howard is employed as a Warehouse Associate at Amazon. The position essentially requires her to load, unload, stock, move and otherwise manage the flow of goods through the distribution center. Amazon regularly failed to pay Claimant and others for all hours worked and/or for all hours recorded. Moreover, Claimant and other non-exempt employees regularly worked in excess of eight hours per day and/or forty hours per week without premium pay under Labor Code Section 1194.

Claimant was at all times entitled to uninterrupted paid meal periods or compensation in lieu thereof. Amazon failed to provide second meal periods for Claimant and all other similarly situated employees as required by Labor Code Section 226.7, Labor Code Section 558 and IWC Wage Orders 9-2001(20) when Claimant worked in excess of 10 hours. Furthermore, since Amazon required Claimant and others

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<sup>1</sup> Without limitation, Claimant, if permitted, will seek any and all penalties otherwise capable of being collected by the Commission. This includes, each of the following, as is set forth in Labor Code Section 2699.5, which states:

The provisions of subdivision (a) of Section 2699.3 apply to any alleged violation of the following provisions: subdivision (k) of Section 96, Sections 98.6, 201, 201.3, 201.5, 201.7, 202, 203, 203.1, 203.5, 204, 204a, 204b, 204.1, 204.2, 205, 205.5, 206, 206.5, 208, 209, and 212, subdivision (d) of Section 213, Sections 221, 222, 222.5, 223, and 224, subdivision (a) of Section 226, Sections 226.7, 227, 227.3, 230, 230.1, 230.2, 230.3, 230.4, 230.7, 230.8, and 231, subdivision (c) of Section 232, subdivision (c) of Section 232.5, Sections 233, 234, 351, 353, and 403, subdivision (b) of Section 404, Sections 432.2, 432.5, 432.7, 435, 450, 510, 511, 512, 513, 551, 552, 601, 602, 603, 604, 750, 751.8, 800, 850, 851, 851.5, 852, 921, 922, 923, 970, 973, 976, 1021, 1021.5, 1025, 1026, 1101, 1102, 1102.5, and 1153, subdivisions (c) and (d) of Section 1174, Sections 1194, 1197, 1197.1, 1197.5, and 1198, subdivision (b) of Section 1198.3, Sections 1199, 1199.5, 1290, 1292, 1293, 1293.1, 1294, 1294.1, 1294.5, 1296, 1297, 1298, 1301, 1308, 1308.1, 1308.7, 1309, 1309.5, 1391, 1391.1, 1391.2, 1392, 1683, and 1695, subdivision (a) of Section 1695.5, Sections 1695.55, 1695.6, 1695.7, 1695.8, 1695.9, 1696, 1696.5, 1696.6, 1697.1, 1700.25, 1700.26, 1700.31, 1700.32, 1700.40, and 1700.47, paragraphs (1), (2), and (3) of subdivision (a) of, and subdivision (e) of, Section 1701.4, subdivision (a) of Section 1701.5, Sections 1701.8, 1701.10, 1701.12, 1735, 1771, 1774, 1776, 1777.5, 1811, 1815, 2651, and 2673, subdivision (a) of Section 2673.1, Sections 2695.2, 2800, 2801, 2802, 2806, and 2810, subdivision (b) of Section 2929, and Sections 3095, 6310, 6311, and 6399.7.

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similarly situated to work during their meal period in violation of Labor Code Section 226.7(b), Claimant seeks wages of one additional hour of pay as permitted by Labor Code Section 226.7(c) as well as all available penalties as set forth in Labor Code Section 2699(f).

Claimant was at all times entitled to rest breaks. Amazon failed to authorize or permit rest breaks for Claimant and all other similarly situated employees engaged in the same tasks and functions as required by Labor Code Section 226.7, Labor Code Section 512, and IWC Wage Orders 9-2001(11) when Plaintiff worked in excess of 10 hours. Therefore, Claimant and the proposed class are entitled to recover wages and/or penalties as provided by Labor Code Section 558 and IWC Wage Orders 9-2001(20). Furthermore, since Atlas required Claimant and others similarly situated to work during their rest breaks in violation of Labor Code Section 226.7(b), Claimant seeks wages of one hour of pay as permitted by Labor Code Section 226.7(c), as well as all available penalties as set forth in Labor Code Section 2699(a) or (f).

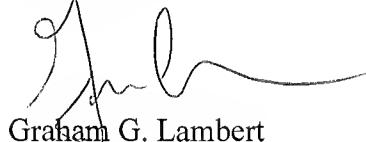
Amazon's pattern and practice of failing to pay to Claimant and other similar employees overtime and allow and/or pay for meal and rest periods, and/or pay premium wages for missed meal and rest periods, was pervasive.

Claimant and all other similarly situated drivers are entitled to recover unpaid wages, with interest, and are entitled to an award of attorneys' fees as permitted by Labor Code Section 1194 and other penalties, as permitted by Labor Code Section 2699, Labor Code Section 210, and waiting time penalties for former employees, pursuant to Labor Code Section 203.

If you have any questions, please call me.

Very Truly Yours,

HAFFNER LAW PC



Graham G. Lambert